

Appln. No. 10/803,007

Attorney Docket No. 10541-1931

II. Remarks

Reconsideration and re-examination of this application in view of the above amendments and the following remarks is herein respectfully requested. Claims 1-9, 11, and 13-17 remain pending.

Claim Rejections – 35 U.S.C. §103

Claims 1-9, 11 and 13-17 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,696,677 to Leaphart et al. (Leaphart) in view of U.S. Patent 5,897,130 to Majeed et al. ("Majeed").

As noted by the examiner, Leaphart does not teach calculating the third frequency based on a proportion of the first frequency amplitude (displacement/position based), and second frequency amplitude based on a body relative velocity to calculate a third frequency based on a proportion of the first and second amplitudes.

Claim 1 recites that the controller is configured to determine a first frequency amplitude based on the strut relative displacement signal, extract a second frequency amplitude based on a body relative velocity, and calculate a third frequency based on a proportion of the first and second frequency amplitudes. Contrary to the examiner's contentions, Majeed does not teach calculating the third frequency based on a proportion of the strut relative displacement and the body relative velocity. Rather, the examiner makes the more general statement that the "determination of body motor velocities of heave, pitch and roll geometric transformations, where the signals are then filtered, and scale factors may be easily determined as a ratio of the actual measured body modal velocities using accelerometers or other types of sensors." Upon careful review, Majeed (column 11, lines 38-60) actually teaches simply scaling the body modal

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velocities by measured body modal velocities using accelerometers or other types of sensors. The disclosed ratio in Majeed of calculated body modal velocity to actual measured modal velocities is clearly different and does not teach or suggest calculating a third frequency based on proportion of the strut relative displacement signals and the body relative velocity as provided in claim 1.

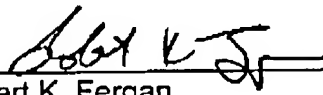
Claims 2-9, 11, and 13-17 depend from claim 1 and are, therefore, patentable for at least the same reasons as given above in support of claim 1. Accordingly, Applicants respectively request withdrawal of the rejections under 35 U.S.C. § 103.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is respectfully requested.

Respectfully submitted by,

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Robert K. Fergan
Reg. No.: 51,674
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, IL 60610
(734) 302-6000